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C O N F I D E N T I A L SECTION 01 OF 02 ANKARA 005163

SIPDIS

DEPARTMENT FOR EUR/SE

E.O. 12958: DECL: 09/02/2015
TAGS: PGOV PREL PHUM TU OSCE
SUBJECT: GOT HUMAN RIGHTS OFFICIAL RESIGNS, OFFICE MAY BE CLOSED

REF: A. 03 ANKARA 2368

¶B. 04 ANKARA 126
¶C. 04 ANKARA 6116

Classified by Polcouns Janice G. Weiner; reasons 1.4 b and d.

¶1. (C) Summary: Vahit Bicak, head of the GOT's Human Rights Presidency, told us he will resign this month, out of frustration over the lack of support for the office from PM Erdogan and other GOT leaders. He said Erdogan informed him that he will not back a plan to create a new, independent human rights institution, and indicated that he may close the Presidency. Bicak has been controversial within the Turkish human rights community, but he has been a valuable interlocutor who tried, without GOT funding, to make something out of a long-neglected office. End Summary.

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PM: No Need for Independent Body
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¶2. (C) Bicak told us September 1 that he will leave the Human Rights Presidency September 17, after two years on the job, and return to the Criminal Justice Faculty of the national Police Academy. He said he decided to resign after a recent meeting with PM Erdogan, at which Erdogan told him there is no need for the GOT to establish an independent human rights institution. The Danish Embassy and the Danish Institute for Human Rights had been engaged in discussions with the GOT for over a year, aimed at establishing an independent institution in Turkey similar to the Danish Institute. The establishment of an independent human rights institution had been one of Bicak's top priorities. According to the Danish DCM, the institution would have been government funded, but would have maintained independence, similar to the judiciary.

¶3. (C) Bicak said Erdogan made his decision after consulting with Prime Ministry Undersecretary Dincer, who also attended the meeting. Dincer, who is overseeing a draft law on GOT administrative reform, argued that an independent human rights institution is unnecessary, given the existence of the parliamentary Human Rights Committee.

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Existing Office May Also Be Closed
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¶4. (C) Dincer, according to Bicak, further maintained that the existing Human Rights Presidency is also unnecessary. Bicak said Erdogan did not respond to this point directly, and it is not clear whether he will name a successor to Bicak or close the office. The Human Rights Presidency is attached to the Prime Ministry; the head of the office reports directly to FM and Deputy PM Gul. It does not have a separate budget, and has been allocated minimal funds since its establishment in 1997. The Presidency is charged with overseeing the human rights boards located in all 81 provinces and 849 sub-provinces. It is not clear whether the boards will be maintained if the Presidency is closed. The head of the Presidency serves as a member of the Reform Monitoring Committee, a board led by Gul that the GOT established to monitor the implementation of reforms related to EU accession.

¶5. (C) The Danish DCM told us he is disappointed, though not surprised, to learn that the GOT has abandoned the idea of an independent human rights institution, noting that the GOT leadership had never shown much interest in the proposal. He said he is particularly concerned about the possibility that the GOT will close the Presidency. He rejected the idea that the parliamentary Human Rights Committee can fill the role designated for the Presidency. The committee, he said, is ineffective; its members are more interested in political grandstanding than in promoting human rights. (Note: This is our assessment as well, per reftel A. End Note.)

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Bicak Scored Some Successes...
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¶6. (C) During his tenure, Bicak drafted a regulation, adopted by the GOT, that removed police and Jandarma officers from the provincial and sub-provincial human rights boards and increased the NGO/civil society representation (reftel B). He also established a uniform system for collecting data from the boards on human rights-related complaints. Frustrated by the lack of GOT funding, he conducted a range of projects under the sponsorship of foreign governments. These included a USD 50,000 project on detainees' rights funded by the U.S. State Department's Bureau of Democracy, Human Rights, and Labor, and overseen by the Embassy. Bicak plans to complete the final portion of that project -- distribution of a detailed book on detainees' rights to the human rights boards -- before leaving office. He often came under fire from Turkish nationalists for taking money from foreign governments.

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...While Also Drawing Controversy
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¶7. (C) At the same time, Bicak has been a controversial figure in the human rights community. He was widely criticized by Turkish human rights NGO leaders and Danish officials for his aggressive efforts to reserve for himself the presidency of an independent human rights institution. Bicak drafted a regulation establishing requirements for the job, including 10 years of government experience, that matched his resume and seemed designed to eliminate rivals. He also failed to defend a GOT human rights body when it came under fire for drafting an accurate but controversial report on minorities in Turkey (reftel C).

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Comment: A Flawed But Valuable Interlocutor
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¶8. (C) Bicak has a tendency to let his ego get the better of him. At the same time, though, we must credit him for trying to make something out of an office that the GOT has neglected since the day it was established. The provincial and sub-provincial human rights boards are largely ineffective. They lack training and guidance, and many of them do not even meet regularly. Unlike his predecessors, Bicak made an effort to change that, despite having virtually no budget to work with. Our joint program on detainee rights included a June 9 conference in Ankara that marked the first time representatives from all 81 provincial human rights boards had assembled in one place. The one-day conference featured a series of panel discussions with legal experts. Following this event, Bicak produced a pamphlet on detainee rights, which his office distributed to the provincial boards. He also drew wide press coverage for the pamphlet, highlighting the large number of Turkish citizens who are subject to some form of police investigation each year.

¶9. (C) The Human Rights Presidency has never been an influential office. But before Bicak, few people in Turkey were even aware that the office existed. That was beginning to change. Given the weak state of civil society in Turkey, and the highly politicized nature of Turkish NGOs, it will be difficult to find suitable alternative partners for efforts such as the detainee rights project if the Presidency is closed.
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